

Court of Appeals, State of Michigan

ORDER

In re John M Milanowski Revocable Trust

Docket No. **355850**

LC No. **2016-016770-TV**

Christopher M. Murray, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is **DISMISSED** for lack of jurisdiction because the October 29, 2020 order is not a final order appealable of right under MCR 5.801(A). That order is not an order in a probate court proceeding case defined to be appealable of right by MCR 5.801(A)(2). Further, the October 29, 2020 order is not a final order under MCR 5.801(A)(5) where it does not decide the substantive matter of approving the relevant trust reports and instructions but rather merely dismisses the motion to approve those items without prejudice incidental to the procedural decision to grant a change of venue to the probate court in another county. Dismissal is without prejudice to the filing of a late application for leave to appeal under MCR 7.205(G), provided such a filing meets all requirements under the court rules and is not time-barred.





A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

January 20, 2021
Date



Chief Clerk